

Exhibit 3

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS**

STEVEN B. POLLACK,
et al.,
Plaintiffs,

v.

UNITED STATES DEPARTMENT
OF JUSTICE
et al.,
Defendants.

No. 08-CV-320

DECLARATION OF ROBERT D. GRANT

I, Robert D. Grant, affirm and state as follows:

1. I am the Special Agent in Charge ("SAC") of the Chicago Field Office of the Federal Bureau of Investigation ("FBI"). I became a Special Agent with the FBI on November 13, 1983, and was assigned to the Memphis Field Office from March 1984 to January 1987. I was subsequently assigned to the New York, Chicago and San Antonio Field Offices along with two assignments at FBI Headquarters, Washington, D.C. In November 2004, I was appointed by Director Mueller to the position of SAC of the Chicago Field Office, which includes supervising the operations of the FBI Chicago Office and the FBI Regional Training Facility in North Chicago, Illinois. I assumed those duties on January 31, 2005. I provide this declaration based upon my personal knowledge and experience, upon information provided to me in my official capacity, and upon conclusions and determinations reached and made in accordance therewith.

2. As the SAC of the FBI's Chicago Field Office, my duties include leadership responsibilities for all investigative, intelligence and administrative functions of the Chicago

Field Office, encompassing approximately 800 employees.

3. Additionally, I oversee all of the training activities conducted at the FBI Regional Training Facility in North Chicago, Illinois. This facility is the primary training location for approximately 460 FBI Special Agents and thousands of state and local law enforcement officers. The mission of the FBI is to protect and defend the United States against terrorist and foreign intelligence threats; to enforce the criminal laws of the United States; to provide leadership and law enforcement assistance to federal, state, local and international agencies; and to perform these responsibilities in a manner that is responsive to the needs of the public and is faithful to the Constitution of the United States. The FBI currently has jurisdiction over violations of more than 200 categories of federal law.

4. In order to accomplish this extensive mission, federal agents must be adequately trained to protect themselves and others when assigned to criminal and counterterrorism investigations. The primary use of this facility is FBI firearm qualification testing. FBI policy requires each FBI Special Agent to pass a qualification course every three months for each service weapon required for their operational assignment. This policy requires each of the FBI Chicago Special Agents to train at this facility at least four times a year. This qualification course is indispensable to the FBI's mission because it ensures that our federal agents are prepared to respond to live-threatening operational situations. Highly-trained law enforcement protects not only the lives of officers and agents, but also the lives of public citizens.

5. The FBI uses this facility not only for essential qualification courses, but also for specialized weapons training. FBI Special Weapons and Tactics ("SWAT") teams use this facility to train for high-risk events, such as hostage and barricade situations. Since the events of

September 11, 2001, SWAT team training is focused on preparing and training for a variety of terrorism events that may occur in the assigned region. The FBI has SWAT teams in each of its 56 field offices and teams from other divisions are often called to assist during high-risk events. The Chicago FBI SWAT team is a regional and enhanced team specially trained and equipped to serve the Chicago Field Office and several other, smaller, field offices in the Midwest. This facility is the primary training location for several FBI SWAT teams, including the FBI Chicago SWAT team. Due to the sensitivity of this training and specialized weapons involved, SWAT teams cannot train on public ranges.

6. General skill building is another important training that this facility provides to the FBI Special Agent population. Even though Special Agents qualify often on their weapons, the FBI strives to have Special Agent train for a variety of life-threatening scenarios depending on their current assignment. For example, undercover agents working on counterterrorism, public corruption, or violent gang crime cases may require additional firearms training due to their high-risk assignment. This facility serves multiple FBI divisions with specialized firearm and other tactical training that may be required to ensure the safety of those law enforcement officials who have heightened security concerns due to their specialized assignments.


7. Finally, the training that occurs at this FBI facility is absolutely critical to the entire region's law enforcement firearms proficiency. Federal, state, and local law enforcement agencies use this range to qualify their law enforcement officers. These agencies also utilize this facility to train their local SWAT teams. All agencies that use this facility have personnel that have been certified as FBI Firearm Instructors. The FBI mission includes assisting state and local law enforcement with firearms and other specialized training. The FBI has built an extensive

expertise in law enforcement weapons training and defensive tactics and provides this expertise to other law enforcement agencies to strengthen relationships between federal and local law enforcement. Training fosters partnerships between agencies that strengthen law enforcement coordination and communication, which further strengthens the safety and security of the public.

8. The closure of this facility would have a devastating impact on the FBI Chicago Field Office's ability to conduct firearms training. Special Agents would be unable to qualify and train on their firearms, causing them to diminish these life-saving skills. Diminishing these skills provides a greater risk of harm to both the agents and the general public. Due to the volume of training, variety of weapons, and high qualifying standards of the FBI, these activities cannot be conducted at another facility. Training would have to be limited and altered to fit the specifications of other ranges, if possible. Because of the limited number of ranges in the area, it is unlikely that the FBI and other agencies could obtain the range time require to keep law enforcement officials qualified on their weapons. Additionally, the FBI and local agencies lack the funding needed to pay for range time fees. Furthermore, due to the sensitivity of this training and specialized weapons involved, SWAT team training cannot be altered to fit specifications for local ranges. Closure of this facility would prohibit the FBI's ability to train federal and local SWAT teams responsible for responding to critical incidents or other high-risk situations in the Chicago region.

Pursuant to 28 U.S.C. § 1746, I hereby declare under penalty of perjury that the facts set forth in this Declaration are true and correct to the best of my knowledge, information and belief.

Executed this 31 day of March, 2008.

A handwritten signature in black ink, appearing to read "Robert D. Grant", written over a horizontal line.

Robert D. Grant
Special Agent in Charge
Federal Bureau of Investigation
Chicago, Illinois